

South Carolina Department of Health and Human Services
Pervasive Developmental Disorder Waiver
Transition Plan Outline
September 2014

I. Introduction

The Center for Medicare and Medicaid Services (CMS) issued a final rule on Home and Community Based Services (HCBS) establishing certain requirements for home and community based services that are provided through Medicaid waivers, like the Pervasive Developmental Disorder Waiver. There are specific requirements for where home and community based services are received called “settings requirements.”

CMS requires that each state submit a “Transition Plan” for each waiver renewal or amendment between March 2014 and March 2015. The Transition Plan outlines how the state will come into conformance and compliance with the HCBS Rule. Once any waiver renewal or amendment is submitted to CMS with the waiver specific Transition Plan, the state must then submit, 120 days later, a “Statewide Transition Plan” that outlines how the state will come into conformance with the new requirements of the HCBS Rule. States must come into full compliance with HCBS Rule requirements by March 17, 2019.

This is the Transition Plan for the PDD Waiver Renewal. Per CMS requirements, this is available for the public to read and comment on before being submitted to CMS for review when the renewal is submitted.

The Transition Plan, even once submitted, may need to change and evolve as the state goes through the process of coming into compliance with the HCBS Rule. If the Transition Plan does change after submission to CMS, the state will make it available for public comment and input.

II. Home and Community Based Settings Requirements

CMS has listed the following as the requirements of settings where home and community based services are provided. They must have the following qualities:

- Be integrated in and support full access of individuals receiving Medicaid HCBS to the greater community
- Include opportunities to seek employment and work in competitive integrated settings
- Allow individuals to control personal resources
- Setting must be selected by the individual from among setting options, including non-disability specific settings (this includes an option for a private unit in a residential setting)
- Setting options are identified and documented in the person-centered service plan
- Ensures an individual’s rights of privacy, dignity and respect, and freedom from coercion and restraint
- Optimizes individual initiative, autonomy, and independence in making life choices

- Facilitates individual choice regarding services and supports and who provides them
- A. Assessment of Facilities to determine HCBS Rule compliance
Because of the settings where the PDD services are received, primarily in the home with the participant option to utilize a clinical setting on occasion, an assessment for compliance with the HCB settings requirements would not be necessary.
- B. Assessment of Regulations, Standards, Policies, Licensing Requirements, and other Provider Requirements
 1. As part of the larger scope of the Statewide Transition Plan, SCDHHS will be reviewing all policies, procedures, and provider requirements to ensure compliance with the new settings standards and the person-centered planning standards.
 2. The review of policies will include those from other state agencies that set standards for providers.
- C. Day Facilities:
This waiver provides services primarily in the participants' homes. Participants do have the option of receiving some of their services in a clinical setting. The clinical setting would be set in the larger community and would be chosen by the participant. Therefore, it is presumed that this environment would meet the settings characteristics outlined in the HCBS Rule.
- D. Residential:
This waiver provides services in the participants' homes. No other residential facilities are utilized in the provision of services. Participant's homes are considered private homes and those settings are presumed to be home and community based. Therefore, it is presumed that their home environment would meet the settings characteristics outlined in the HCBS Rule.

III. Communications

A. Initial Plan Development

SCDHHS formed a Workgroup to address and solicit input on how the state could come into compliance with the HCBS rule, including the PDD waiver renewal.

This group is composed of members of:

SC Department of Health and Human Services

SC Department of Mental Health

SC Department of Disabilities and Special Needs

SC Vocational Rehabilitation

Advocacy groups:

AARP

Family Connections

Protection & Advocacy

Providers:

Local Disabilities and Special Needs Boards

Housing providers for Mentally Ill population

Adult Day Health Care Providers

Private Providers of Medicaid and HCBS services

Beneficiaries and family members, along with other advocacy groups, have also been recently added to the workgroup membership.

The large workgroup broke into smaller workgroups to address different tasks of coming into compliance with the HCBS Rule, including a waiver renewal workgroup.

The large group meets monthly to discuss the progress of the smaller workgroups and to discuss issues and concerns and the overall vision of how the state can come into compliance with the new regulation.

B. Public Notice and Comment on Waiver Renewal

1. SCDHHS has developed policy to provide multiple methods of public notice and input on waiver renewals which also includes its accompanying transition plan.
 - The MCAC was provided advisories on the HCBS Rule and the PDD waiver renewal and transition plan on May 13, 2014 and July 8, 2014.
 - Tribal Notification was provided on June 5 and 23, 2014. Tribal conference call for the waiver renewal and transition plan was held June 25, 2014.
 - Public notice for comment on the PDD waiver renewal and transition plan was posted on the SCDHHS website on August 6, 2014.
 - Public notice for comment on the PDD waiver renewal and transition plan was sent out via the SCDHHS listserv on August 6, 2014.
 - Several public meetings were held to discuss the PDD waiver renewal and its transition plan, as well as the HCBS Rule and what it means for South Carolina beneficiaries.

Four public forums were held in August 2014 on the PDD waiver renewal and the HCBS Rule in the following cities:

Columbia, SC (Aug. 12, 2014)	Charleston, SC (Aug. 14, 2014)
Florence, SC (Aug. 19, 2014)	Greenville, SC (Aug. 21, 2014)

- Public comments were gathered from the public meetings listed above, from electronic communications sent to SCDHHS, and from any communications mailed to SCDHHS. They were compiled into a document and attached here.
- SCDHHS reviewed the comments and incorporated any appropriate changes to the waiver renewal and its transition plan based on public comments.

**South Carolina Home and Community Based Services Transition Plan Timeline
Pervasive Developmental Disorder (PDD) Waiver Renewal**

Section 1. Identification

<i>Action Item</i>	<i>Description</i>	<i>Start Date</i>	<i>End Date</i>	<i>Sources</i>	<i>Stakeholders</i>	<i>Intervention/Outcome</i>
Identify Day Programs	Identify the number of Day programs serving individuals in waiver	March 2014	April 2014	SCDDSN	SCDHHS, SCDDSN	As the services in this waiver are primarily offered at an individual's home, or in a clinical setting chosen by the individual/family, settings are presumed to be in compliance based on setting definitions in the HCBS Rule. No Assessment needed
Identify Residential programs	Identify the number and type of residential programs serving individuals in waiver	March 2014	April 2014	SCDDSN	SCDHHS, SCDDSN	As the services in this waiver are primarily offered at an individual's home, settings are presumed to be in compliance based on setting definitions in the HCBS Rule. No Assessment needed

Section 2. Assessment						
Action Item	Description	Proposed Start Date	Proposed End Date	Sources	Stakeholders	Intervention/Outcome
Review existing policies, procedures, and other standards for providers	Review existing policies, procedures, qualification standards, licensure regulations, provider training, and other related policies to determine conformance to the HCBS Rule.	October 2014	January 2015	SCDHHS policies, SCDDSN policies, other state agency regulations as appropriate, SCDHHS provider enrollment	SCDHHS, SCDDSN	Determine policy compliance with standards
Section 3. Corrective Action						
Action Item	Description	Proposed Start Date	Proposed End Date	Sources	Stakeholders	Intervention/Outcome
Policy Revisions	SCDHHS will review and revise policies to reflect HCBS regulations as well as ongoing monitoring and compliance	January 2015	December 2015	CMS Guidance, CFR, SCDHHS policy manuals	SCDHHS, Partner agencies, providers, beneficiaries, families, advocacy groups	Policies reflect HCBS requirements
Provider Training and Education	SCDHHS will develop and provide training and education to providers to ensure understanding of HCBS rule requirements, ensure ongoing compliance with requirements	January 2015	December 2015	CMS Guidance, CFR, SCDHHS policies,	SCDHHS, partner agencies, providers	Educate providers on HCBS rule and its requirements

Section 4. Communications						
Action Item	Description	Proposed Start Date	Proposed End Date	Sources	Stakeholders	Intervention/Outcome
Form Stakeholder workgroup	Invited various stakeholders to come together to address new HCBS Final Rule and provide input on plans to come into compliance	February 26, 2014	December 2015	Partner Agencies, Advocacy groups, providers, beneficiaries, and families	Partner Agencies, Advocacy groups, providers, beneficiaries, and families	Monthly Workgroup meetings; more frequent subgroup meetings on Waiver renewals
Form Waiver Renewal Subgroup	Participants from larger group invited to participate on waiver renewal subgroup to address proposed waiver changes, content of waiver renewal transition plan	March 18, 2014	July 28, 2014	CMS Guidance, CFR	SCDHHS, SCDDSN, SCDMH, Providers, Advocacy groups	Weekly subgroup renewal meetings Draft Transition Plan developed for Waiver renewals Draft HIPAA Form developed for Person-centered planning
Provide Notice to MCAC	Provide notice of the Waiver Renewals and the Transition plan at two MCAC meetings	May 13, 2014	July 8, 2014	Advisories to MCAC	SCDHHS, SCDDSN, Providers, Beneficiaries, Advocacy groups	MCAC advised of Waiver renewals and when will be submitted per agency policy
Tribal Notification	Notice is provided to the Catawba Indian Nation on the renewal of the waiver and a conference call is held to discuss	June 5 & 23, 2014	June 25, 2014	Proposed waiver renewal changes	SCDHHS, Catawba Indian Nation	Any questions or concerns about waiver renewals addressed on phone call

Section 4. Communications <i>continued</i>						
<i>Action Item</i>	<i>Description</i>	<i>Proposed Start Date</i>	<i>Proposed End Date</i>	<i>Sources</i>	<i>Stakeholders</i>	<i>Intervention/Outcome</i>
Public Notice provided	Notice of the waiver renewals posted to the SCDHHS website, sent out via listserv to any interested parties, and shared with members of the large Stakeholder Workgroup	August 6, 2014	September 5, 2014	Public notice document, PDD Transition plan Draft document	SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for PDD waiver
Public comment – waiver renewals and transition plan	SCDHHS gathered public comments for review through multiple methods and made appropriate changes to the waiver renewals and transition plan. Comments were gathered via mail, email, and in person.	August 6, 2014	September 5, 2014	Public notice document, PDD Transition plan Draft document	SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for PDD waiver
Public meetings conducted on Waiver Renewals and Transition Plan	4 public meetings held throughout state for public to comment on proposed waiver renewal changes and waiver transition plan	August 12, 2014	August 21, 2014	Public notice document, PDD Transition plan Draft document	SCDHHS, SCDDSN, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for PDD waiver
Public Comment collection and revisions	SCDHHS reviews all comments on the waiver renewals and transition plan and makes appropriate changes to both documents	September 6, 2014	September 30, 2014	Public comments and any state response documents	SCDHHS	Public comments considered and appropriately incorporated into documents

